

United States District Court
Southern District of New York

St. Paul Fire & Marine Insurance Company,
Plaintiff,

-against-

AFFIDAVIT OF SERVICE
08 CV 5020

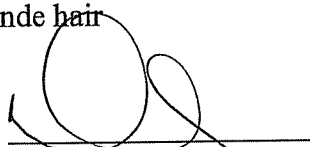
Tortue, Ltd.,
Defendant.

COUNTY OF ALBANY SS:
STATE OF NEW YORK

Denise L. Dooley being duly sworn says: Deponent is over the age of eighteen years and is a resident of New York State, that: Deponent served the following specific papers in the above entitled action: St. Paul Fire and Marine Insurance Company's Fed. R. Civ. P. 7.1 Disclosure Statement, Summons in a Civil Action and Complaint for Declaratory Judgment in Admiralty, pursuant to Section 306 of the Business Corporation Law. The corporation which was served was: **TORTUE LTD.**

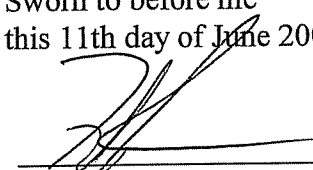
That on the 11th day of June 2008 at approx. 1:30 p.m., at the office of Department of State of New York, in the City of Albany, two (2) copies of the aforesaid papers were served by personally delivering to and leaving with Donna Christie known to me to be in the Corporation Division of the Department of State and empowered to receive such service. That at the time of making such service, deponent paid to the Secretary of State the fee prescribed by Law in the amount of \$40.00.

Description of Donna Christie - Authorized Person
White female, approx. 37 yrs., 5'3", 140 lbs., blonde hair



Denise L. Dooley

Sworn to before me
this 11th day of June 2008.



FRANK J. PANUCCI
Notary Public, State of New York
Qualified in Albany County
No. 4721156
Commission Expires July 31, 2010

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ST. PAUL FIRE & MARINE INSURANCE
COMPANY,

Plaintiff,

Vs

TORTUE, LTD.,

Defendant.

Case No.
08Cv.5020

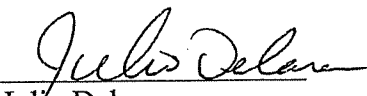
**AFFIDAVIT OF
ATTEMPTED
SERVICE**

STATE OF NEW YORK)
COUNTY OF NEW YORK } ss.:

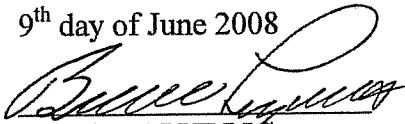
Julio Delara, being duly sworn, deposes and says: I am not a party to this action, am over 18 years of age and reside at New York, NY:

On June 5, 2008 at 3:28 p.m. at 527 Madison Avenue, New York, NY 10022,
I attempted to serve the within SUMMONS, COMPLAINT AND ST. PAUL FIRE AND
MARINE INSURANCE COMPANY'S FED.R.CIV.P.7.1 DISCLOSURE
STATEMENT on TORTUE, LTD., defendant therein named.

I was unable to locate the defendant therein named at the address mentioned. According to building security they said that they never heard of the defendant. I asked security to call the 20th floor to verify that the defendant was not at that location and security called a company on the 20th floor and they said they never heard of Tortue, Ltd.


Julio Delara
License No. 991178

Sworn to before me this
9th day of June 2008


NOTARY PUBLIC

BRUCE LAZARUS

NOTARY PUBLIC-STATE OF NEW YORK
No. 4990593

Qualified in Westchester County
My Commission Expires January 13, 2010

139 Fulton Street, New York, NY 10038
Tel: 212-393-9070 • 800-393-1277 • Fax: 212-393-9796

LegalEase
Inc.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ST. PAUL FIRE & MARINE INSURANCE
COMPANY,

Plaintiff,

Vs

TORTUE, LTD.,

Defendant.

Case No.
08Cv.5020

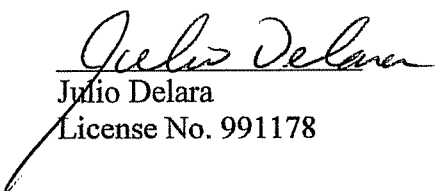
**AFFIDAVIT OF
SERVICE**

STATE OF NEW YORK)
COUNTY OF NEW YORK } ss.:

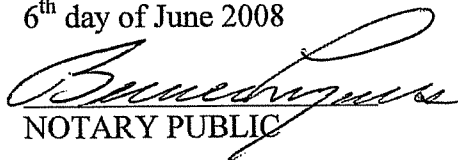
Julio Delara, being duly sworn, deposes and says: I am not a party to this action, am over 18 years of age and reside at New York, NY:

On June 6, 2008 at 12:02 p.m. at 527 Madison Avenue, New York, NY 10022, I served the within SUMMONS, COMPLAINT AND ST. PAUL FIRE AND MARINE INSURANCE COMPANY'S FED.R.CIV.P.7.1 DISCLOSURE STATEMENT on TORTUE, LTD., defendant therein named, by delivering a true copy of same to W.P. STEWART & COMPANY LIMITED c/o SETH.

The person served is a White male, short blonde hair, 40-50 years old, 5'3"-5'6" in height, 145-155 pounds.


Julio Delara
License No. 991178

Sworn to before me this
6th day of June 2008


NOTARY PUBLIC

BRUCE LAZARUS
NOTARY PUBLIC-STATE OF NEW YORK
No. 4990593
Qualified in Westchester County
My Commission Expires January 13, 2010

LegalEase
Inc.

139 Fulton Street, New York, NY 10038

Tel: 212-393-9070 • 800-393-1277 • Fax: 212-393-9796

AFFIDAVIT OF DUE DILIGENCE

STATE OF NEW YORK
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

INDEX NO.: 08 CV 5020
COUNTY OF
COURT DATE:

St. Paul Fire and Marine Insurance Company,

vs

Plaintiff(s)/Petitioner(s)

Tortue, Ltd.,

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF ULSTER, SS.:

Robert J. Letus, being duly sworn, deposes and says: that deponent is not a party to this action and is over the age of eighteen (18) years. The deponent states that on June 9, 2008 at: 4 West Union Street, Kingston, NY 12401

deponent attempted to locate and/or serve the within
Summons in a Civil Action and Complaint for Declaratory Judgment in Admiralty

upon Tortue, Ltd.

therein named, and that after due search, careful inquiry and diligent attempts to locate and/or serve, and additional efforts as detailed below, deponent was unable to locate and/or serve said subject:

There is a 3 unit apt. building located at the address supplied. The name Browndorf does not appear on any of the doorbells or mailboxes. We spoke with tenants and they do not recognize the name of the business to be served or Tod Browndorf. I ran a skip trace on the address and it appears that Tod Browndorf moved from the address during 1999.

Sworn to before me on June 17, 2008

NICOLE SIMMONS (#01S16180797)
Notary Public, State of New York
Resident In and for Ulster County
Comm/Exp. 07/23/2012

KIM F. LETUS
NOTARY PUBLIC
STATE OF NEW YORK
REG. #4617180
QUALIFIED IN ULSTER COUNTY
COMM. EXP. 3/30/11

Robert J. Letus

Invoice-Work Order # 0808266